

Notice of Allowability

Application No.

10/626,702

Examiner

Shih-wen Hsieh

Applicant(s)

SASA, MASAHIKO

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed on July 25, 2003.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 25 July 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 7-25-03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

SHIH-WEN HSIEH
PRIMARY EXAMINER

S. Hsieh
Shih-wen Hsieh
Primary Examiner
Art Unit: 2861

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the claims:

Claim 1:

Line 8, "the air pressure" has been changed to "**an** air pressure" to correct a minor lack of antecedent basis problem.

Line 18, "on the basis of" has been changed to "on **a** basis of" to correct a minor lack of antecedent basis problem.

Claim 5:

Line 22, "the operation frequency" has been changed to "**an** operation frequency" to correct a minor lack of antecedent basis problem.

Line 23, "the audible range" has been changed to "**an** audible range" to correct a minor lack of antecedent basis problem.

Claim 8:

Line 12, "the atmosphere" has been changed to "atmosphere" to correct a minor lack of antecedent basis problem.

Claim 9:

Line 24, "the air pressure" has been changed to "an air pressure" to correct a minor lack of antecedent basis problem.

Line 11, page 47, "on the basis of" has been changed to "on a basis of" to correct a minor lack of antecedent basis problem.

Claim 11, page 48, "the atmosphere" has been changed to "atmosphere" to correct a minor lack of antecedent basis problem.

Claim 12:

Line 7, "the steps of" has been added after "comprising". Because in the preamble of a method claim, "comprising the steps of" is generally used, and then followed by steps. Also, refer to the dependent claims such as claim 13, line 4 in page 49: "wherein the controlling step"; and claim 15, line 16: "wherein the step of finding", etc. These steps refer back to the steps in the preamble of the base claim to which these claims depend on.

Line 10, "the air pressure" has been changed to "an air pressure" to correct a minor lack of antecedent basis problem.

Line 20, "on the basis of" has been changed to "on a basis of" to correct a minor lack of antecedent basis problem.

Claim 13:

Line 2, page 49, "between the duty ratio" has been changed to "between a duty ratio" to correct a minor lack of antecedent basis problem. Refer to claim 2.

Claim 16:

Line 22, "the operation frequency" has been changed to "**an** operation frequency" to correct a minor lack of antecedent basis problem.

Line 23, "the audible range" has been changed to "**an** audible range" to correct a minor lack of antecedent basis problem.

Claim 19:

Line 17, "the steps of" has been added after "comprising".

Line 20, "the air pressure" has been changed to "**an** air pressure" to correct a minor lack of antecedent basis problem.

Claim 20:

Line 15, "the air pressure" has been changed to "**an** air pressure" to correct a minor lack of antecedent basis problem.

Line 1, page 52, "the basis of" has been changed to "a basis of" to correct a minor lack of antecedent basis problem.

2. Claims 1-20 are allowed.

3. The following is an examiner's statement of reasons for allowance:

In regard to:

~~Claims 1-11:~~

The primary reason for the allowance of claims 1-11 is the inclusion of the limitation of a control unit configured to set the ambient temperature sensed by the temperature sensing unit as a second ambient temperature, to make a correction to the

Art Unit: 2861

first correlation characteristic according to the first and second ambient temperatures, and to control the drive source on the basis of the corrected first correlation characteristic so that a predetermined air pressure is produced. It is this limitation found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

Claims 12-19:

The primary reason for the allowance of claims 12-19 is the inclusion of the method steps of correcting the first correlation characteristic based on the first and second ambient temperatures; and controlling the drive source on the basis of the corrected first correlation characteristic so that a predetermined air pressure is produced. It is these steps found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

Claim 20:

The primary reason for the allowance of claim 20 is the inclusion of the limitations of a correcting means for correcting the first correlation characteristic based on the first and second ambient temperatures; and a controlling means for controlling the drive source on the basis of the corrected first correlation characteristic so that a predetermined air pressure is produced. It is these limitations found in this claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 4,986,738, "Airflow control system pump and housing" issued to Kawasaki et al., 1/91 teaches an air pump used to supply air to a body support at a predetermined pressure.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-wen Hsieh whose telephone number is 571-272-2256. The examiner can normally be reached on 7:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Talbott can be reached on 571-272-1934. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

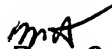
Art Unit: 2861

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SHIH-WEN HSIEH
PRIMARY EXAMINER


Shih-wen Hsieh
Primary Examiner
Art Unit 2861

SWH


Dec. 9, 2004